

Amendment and Response under 37 C.F.R. 1.116

Applicant: Shell S. Simpson et al.

Serial No.: 09/874,184

Filed: June 4, 2001

Docket No.: 10007649-1

Title: SYSTEM AND METHOD FOR PRINTING FROM A WEB APPLICATION**REMARKS**

The following Remarks are made in response to the Final Office Action mailed October 6, 2005, in which claims 1-4, 7-18, and 20-37 were rejected. With this Amendment, claim 23 has been cancelled without prejudice, and claims 3, 20, 25, 27, and 36 have been amended to correct informalities. Claims 1-4, 7-18, 20-22, and 24-37, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 2, 7, 9, 13-14, 17-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy U.S. Patent No. 6,623,527 in view of Moyer et al. U.S. Publication No. 2002/0174206.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy.

Claims 3-4, 8, and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy in view of Moyer, and further in view of Pineau U.S. Publication No. 2002/0181010.

Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy in view of Pineau.

Claims 15-16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy in view of Moyer, and further in view of Blumberg et al. U.S. Publication No. 2003/0140315.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy in view of Pineau, and further in view of Blumberg.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamzy in view of Pineau, and further in view of Moyer.

Claims 28-29 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pineau in view of Moyer.

Claims 30, 33-34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pineau in view of Moyer, and further in view of Rubert et al. U.S. Patent No. 6,366,915.

Claims 31-32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pineau in view of Moyer, and further in view of Nielsen U.S. Patent No. 6,510,461.

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With this Amendment, claim 23 has been cancelled without prejudice. The rejection of claim 23 under 35 U.S.C. 103(a), therefore, is rendered moot.

The earliest effective date of the Moyer et al. U.S. Publication No. 2002/0174206 is May 21, 2001 and the earliest effective date of the Pineau U.S. Publication No. 2002/0181010 is May 30, 2001, both of which are prior to the filing date of June 4, 2001 of the present patent application. Accompanying this Amendment and Response is a REVISED Declaration of Prior Invention under 37 C.F.R. 1.131 to establish conception of the subject matter of the present patent application prior to the earliest effective dates of May 21, 2001 and May 30, 2001 of the Moyer et al. and Pineau publications coupled with due diligence from prior to the earliest effective dates of the Moyer et al. and Pineau publications to the filing date of the present patent application (i.e., constructive reduction to practice).

The previously submitted Declaration of Prior Invention under 37 C.F.R. 1.131 was held by the Examiner as being not properly executed since it was executed by the attorney. The REVISED Declaration of Prior Invention under 37 C.F.R. 1.131, however, has been properly executed by the inventors. Applicant, therefore, respectfully requests consideration of the REVISED Declaration of Prior Invention under 37 C.F.R. 1.131.

In view of the above, Applicant submits that both the Moyer et al. and Pineau publications do not qualify as references under 35 U.S.C. 102(e) and, therefore, do not qualify as references under 35 U.S.C. 103(a). Applicant, therefore, respectfully requests that the rejections of claims 1-4, 7-18, 20-22, and 24-37 under 35 U.S.C. 103(a) be reconsidered and withdrawn and that claims 1-4, 7-18, 20-22, and 24-37 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-4, 7-18, 20-22, and 24-37 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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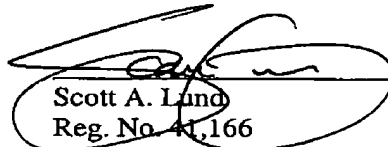
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 6th day of December, 2005.

By 

Name: Scott A. Lund